



## CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: September 12, 2005 Name: Andrew D. Stover

Signature:

BRINKS  
HOFFER  
GILSON  
& LIONE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: JOSEPH DIPALMA et. al.

Appln. No.: 10/750,424

Filed: December 30, 2003

For: PACKAGING COMPONENT WITH  
SENSORY CUE FOR OPENING

Attorney Docket No: 659-2079

Examiner: Not Yet Assigned

Art Unit: 3761

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL

Sir:

## Attached is/are:

☒ Third Supplemental Information Disclosure Statement, Form PTO 1449, six (6) cited foreign references (D1-D6).

☒ Return Receipt Postcard

## Fee calculation:

☒ No additional fee is required.

☐ Small Entity.

☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).

☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_).

☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$.

## Fee payment:

☐ A check in the amount of \$\_\_\_\_\_ is enclosed.

☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.

☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).

☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

September 12, 2005

Date

Andrew D. Stover (Reg. No. 38,629)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: JOSEPH DIPALMA ET. AL.

Appln. No.: 10/750,424

Filed: DECEMBER 30, 2003

For: PACKAGING COMPONENT  
WITH SENSORY CUE FOR  
OPENING

Attorney Docket No: 659-2079

Examiner: NOT YET  
ASSIGNED

Art Unit: 3761

**FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(b), Applicants hereby cite the following reference(s):

**FOREIGN PATENT DOCUMENTS**

DOCUMENT NUMBER	DATE	COUNTRY
WO 02/39943 A2	05/23/2002	WIPO
CA 2 446 018 A1	11/28/2002	CANADA
WO 2004/073569 A1	02/09/2004	WIPO
WO 2004/073571 A1	09/02/2004	WIPO
WO 2004/073572 A1	09/02/2004	WIPO

**OTHER ART**

Search Report for PCT/US2004/043850, dated July 7, 2005, 8 pages.

Applicants are enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). As each of the listed references is in English, no further commentary is believed to be necessary, 37 C.F.R §1.98(a)(3). Applicants respectfully request the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

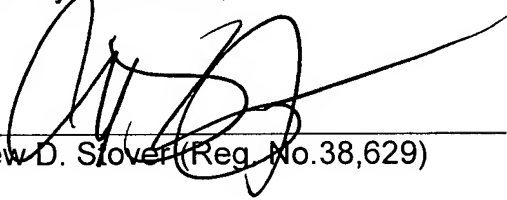
By submitting this Statement, Applicants are attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

For purposes of 37 C.F.R. §1.704(d), Applicants certify that each item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart application, and that this communication was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this Statement (a copy of any foreign communication first citing a listed reference is attached for the Examiner's reference).

Applicants have calculated no fee to be due in connection with the filing of this Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

Respectfully submitted,

September 12, 2005  
Date

  
\_\_\_\_\_  
Andrew D. Stover (Reg. No. 38,629)



FORM PTO-1449	SERIAL NO. 10/750,424	CASE NO. 659/2079
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE 12/30/2003	GROUP ART UNIT 3761
(use several sheets if necessary)	APPLICANT(S): JOSEPH DIPALMA, et. al.	

REFERENCE DESIGNATION U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
---------------------	--	------	------	--------------------	----------------

EXAMINER INITIAL	DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	D1	WO 02/39943 A2	05/23/2002	WIPO	
	D2	CA 2 446 018 A1	11/28/2002	CANADA	
	D3	WO 2004/073569 A1	02/09/2004	WIPO	
	D4	WO 2004/073571 A1	09/02/2004	WIPO	
	D5	WO 2004/073572 A1	09/02/2004	WIPO	

EXAMINER INITIAL	OTHER ART – NON PATENT LITERATURE DOCUMENTS <small>(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.)</small>
	D6 Search Report for PCT/US2004/043850, dated July 7, 2005, 8 pages.

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.